

41, Chapter 9, of the Revised Civil Statutes, 1925, providing that in a foreclosure, if the property be real property, and if the proceeds of such sale be insufficient to satisfy the mortgage and other liens, then no judgment shall issue as a deficiency judgment against any other property of the defendant to satisfy any balance thereof remaining unpaid; and declaring an emergency."

Have had the same under consideration and beg to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

TWENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,
February 15, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Small:

S. B. No. 215, A bill to be entitled "An Act making an appropriation of ten thousand (\$10,000.00) dollars to

be used by the Comptroller of Public Accounts of Texas for the purpose of paying expenses of tax supervisors to audit the accounts and records of producers of natural gas in Texas as defined in H. B. No. 547, Chapter 73, Acts of the Regular Session of the Forty-second Legislature, and to enforce the further provisions of said Act."

Read and referred to Committee on Finance.

By Senator Small:

S. B. No. 216, A bill to be entitled "An Act authorizing defendants in felony cases less than capital offenses, with the consent and approval of the Court, to waive the right of trial by jury and to be tried by the Court; amending Articles 10a, 11, 12, 658 and 776a of the Code of Criminal Procedure of the State of Texas as amended by the Acts of 1931 by Forty-second Legislature, pages 65 and 66, Chapter 43, so as to make them conform to such right; and to permit the Court under certain conditions and in certain cases to suspend the sentence of the defendant; providing that when a defendant who is eligible to apply for a suspended sentence has no attorney, the Court may appoint an attorney to represent him; providing that if any parts of this Act are held invalid, it shall not affect other provisions; repealing all laws in conflict herewith, and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Regan:

S. B. No. 217, A bill to be entitled "An Act making an appropriation to pay a deficiency claim approved by the Governor during the fiscal year ending August 31, 1932, and declaring an emergency."

Read and referred to Committee on Finance.

Motion Relative to Committee Reports.

Senator Woodward moved that all committee reports printed in the Journal contain, in addition to the number of the bill reported, a caption sufficient to identify the bill.

The motion prevailed.

Committee on Procedure.

On motion of Senator Woodward, the Chair appointed the following

committee to formulate, and report to the Senate, rules of conduct and procedure for the hearing, relative to charges against the Highway Department, by the Senate sitting as a Committee of the Whole, beginning tomorrow:

Senators Woodward, Small, and Martin.

Motion Relative to Floral Offering.

On motion of Senator Holbrook, the Senate voted to appropriate \$15 to send a floral offering to the funeral of Senator DeBerry's mother.

Additions to Committee.

The Chair announced the appointment of Senators Poage and Hornsby on the Committee on Highways and Motor Traffic.

Senate Simple Resolution No. 48.

Senator Small sent up the following resolution:

Whereas, The present rules of the Senate do not provide for a standing Committee on Game and Fish; and

Whereas, There is introduced at each session of the Legislature a large number of bills pertaining to the game and fish resources of this State, and it is to the best interest of the work of the Senate to have such standing committee; now, therefore, be it

Resolved by the Senate of Texas, That Senate Rule No. 7 be, and same is hereby amended, by adding thereto a new subdivision known as Subdivision No. 37, which subdivision shall read as follows:

"(37) A Committee on Game and Fish, consisting of five members."

SMALL,
REDDITT.

Read and referred to Committee on Rules.

House Bill No. 27.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Baker:

H. B. No. 27, A bill to be entitled "An Act to prohibit the hunting, trapping, ensnaring, killing or possessing of any wild quail of any species within the limits of Commissioners Precinct No. 2 of the County of Karnes, State of Texas, for a pe-

riod of five years from and after the passage of this Act; providing a penalty therefor, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 27 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Senate Bill No. 13.

The Chair laid before the Senate on its second reading the following bill:

By Senator Parr:

S. B. No. 13, A bill to be entitled "An Act declaring certain water improvement districts to have, and expressly conferring upon such districts, power to contract loans, borrow money or sell securities under certain conditions; etc., and declaring an emergency."

Read second time.

Senator Oneal sent up the following amendment:

Amend Section 1 of S. B. No. 13 by inserting in line marked 35, after the word "land" and before the word "is" the following:

"And not containing within its limits an incorporated city with a population of thirty thousand (30,000) according to the last preceding United States census."

ONEAL.

Read and adopted.

Senator Purl sent up the following amendment:

Amend Section 1 of S. B. No. 13 by inserting in line marked 35, after the word "census" in Amendment No. 1 by Oneal:

"And not containing within its limits an incorporated city with a population of two hundred sixty thousand four hundred seventy-five (260,475) according to the last preceding United States census."

PURL.

Read and adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 13 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert.

DeBerry.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Pace.	Woodward.

Nays—1.

Murphy.

Absent—Excused.

Blackert.

DeBerry.

Senate Bill No. 146.

The Chair laid before the Senate on its second reading the following bill:

By Senator Duggan:

S. B. No. 146, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, consolidated independent school districts, county line school districts, consolidated county line school districts, and rural high school districts, whether created by general or special law, or county boards of trustees, validating the acts of said county boards of trustees and boards of such districts; validating all proceedings and acts of said board of trustees, heretofore taken by such boards of trustees; validating all bonds voted, authorized and/or sold and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; making certain exceptions; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was read.

Senator Small sent up the following amendment to the committee amendment:

Amend the amendment by adding the following:

"Nor to any district in which the tax levies or tax assessments are now involved in litigation."

SMALL.

Read and adopted.

The committee amendment as amended was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Duggan the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 146 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Personal Privilege.

Senator Moore addressed the Senate on a point of personal privilege.

Message From the House.

Hall of the House of Representatives.
Austin, Texas, Feb. 15, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:

H. C. R. No. 22, Relative to re-financing mortgage loans.

H. C. R. No. 23, Protesting the discontinuance of a certain airmail line.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 80.

By the following vote the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider H. B. No. 80:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tennyson, Mr. Long, and Mr. Walker:

H. B. No. 80, A bill to be entitled "An Act to amend Section 28, as heretofore amended by Chapter 5, page 14, of the Special Laws of the Regular Session of the Forty-second Legislature; of Chapter 36, page 359, of the Acts of the Thirty-first Legislature, approved March 15, 1909, entitled: 'An Act to validate the Wich-

ita Falls Independent School District, in Wichita County, Texas,' (and for other purposes), etc., and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Oneal the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 80 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

House Bill No. 115.

By the following vote the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider H. B. No. 115:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Vaughan:

H. B. No. 115, A bill to be entitled "An Act to provide for payment of the salary of the ex-officio superintendent of public instruction in all counties having not less than 7,100 and not more than 7,200 population, according to the last preceding Federal census, from the County Available School Fund; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Moore the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 115 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Fellbaum.
Collie.	Greer.
Cousins.	Holbrook.
Duggan.	Hopkins.

Hornsby.	Rawlings.
Martin.	Redditt.
Moore.	Regan.
Murphy.	Russek.
Neal.	Sanderford.
Oneal.	Small.
Pace.	Stone.
Parr.	Woodruff.
Patton.	Woodul.
Poage.	Woodward.
Purl.	

Absent—Excused.

Blackert.	DeBerry.
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Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert.	DeBerry.
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Senate Bill No. 184.

By the following vote the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider S. B. No. 184:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert.	DeBerry.
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The Chair laid before the Senate on its second reading the following bill:

By Senator Rawlings:

S. B. No. 184, A bill to be entitled "An Act to amend Article 1316, Chapter 1, Title 17, of the Penal Code of 1925, providing for the offense of an attempt to commit arson and defining the same, making it unlawful, etc., and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 184 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert.	DeBerry.
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Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Martin.
Collie.	Moore.
Cousins.	Murphy.
Duggan.	Neal.
Fellbaum.	Oneal.
Greer.	Pace.
Holbrook.	Parr.
Hopkins.	Patton.
Hornsby.	Poage.

Purl.	Small.
Rawlings.	Stone.
Redditt.	Woodruff.
Regan.	Woodul.
Russek.	Woodward.
Sanderford.	

Absent—Excused.

Blackert.	DeBerry.
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Motion to Suspend Rule.

On motion of Senator Purl, by the following vote the constitutional rule relating to the passage of general bills during the first 60 days of the session was suspended and consent was granted to take up and consider the following bills:

H. B. No. 219.	H. B. No. 222.
H. B. No. 66.	H. B. No. 293.
H. B. No. 69.	H. B. No. 186.
H. B. No. 98.	H. B. No. 185.
H. B. No. 106.	H. B. No. 177.
H. B. No. 121.	H. B. No. 235.
H. B. No. 140.	

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert.	DeBerry.
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House Bill No. 219.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Alexander:

H. B. No. 219, A bill to be entitled "An Act repealing Chapter 73, of the General and Special Laws of Texas, as passed by the Regular Session of the Forty-first Legislature, 1929, the same being H. B. No. 523, which provides for a road tax against male persons of certain ages in Childress County, and declaring an emergency."

The rule requiring committee re-

ports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Small the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 219 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert.	DeBerry.
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Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert.	DeBerry.
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House Bill No. 66.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Metcalfe:

H. B. No. 66, A bill to be entitled "An Act providing for a closed sea-

son in Glasscock County, upon quail, doves, and pheasants, for a period of three (3) years; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 66 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

House Bill No. 69.

The Chair laid before the Senate on its second reading the following bill:

8—Jour.

By Mr. Steward and Mr. Palmer:
H. B. No. 69, A bill to be entitled "An Act creating a closed season upon wild deer, buck, doe, fawn, or wild turkey for a period of five (5) years in the counties of Freestone and Leon in the State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said counties, for a period of five (5) years, providing a penalty therefor, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Greer the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 69 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed.

House Bill No. 98.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Metcalfe:

H. B. No. 98, A bill to be entitled "An Act to amend Article 955, of the Revised Criminal Statutes of 1925, as amended by H. B. No. 406, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature, as amended by H.

B. No. 179, Chapter 304, General and Special Laws of the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh water streams of certain named counties, etc., and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Woodward the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 98 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

House Bill No. 106.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Townsend:

H. B. No. 106, A bill to be entitled "An Act to amend Senate Bill No. 8, Acts First Called Session, Forty-second Legislature, by providing that trot lines may be used in Val Verde County, and creating an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 106 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Neal.
Collie.	Oneal.
Cousins.	Pace.
Duggan.	Parr.
Fellbaum.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Moore.	Russek.
Murphy.	Sanderford.

Small.
Stone.
Woodruff.

Woodul.
Woodward.

Absent—Excused.

Blackert. DeBerry.

House Bill No. 121.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Alsup:

H. B. No. 121, A bill to be entitled "An Act to amend Chapter 6 of the Special Laws of the Acts of the Regular Session of the Forty-second Legislature providing for an open season or period of time when it shall be lawful to take or kill squirrels in certain counties; providing penalties for the violation thereof; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Read second time.

On motion of Senator Neal, the bill was laid on the table subject to call.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. J. R. No. 3, Proposing to repeal Article 5 of the Constitution of the State of Texas, the same being the article creating the Judiciary Department of the State and to adopt and enact a new article 5 in lieu thereof, reorganizing the Judiciary Department of the State of Texas.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

H. J. R. No. 3 Referred.

H. J. R. No. 3 referred to Committee on Constitutional Amendments.

House Bill No. 140.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Devall:

H. B. No. 140, A bill to be entitled "An Act repealing Chapter 50, of the Special Laws of Texas of the Regular

Session of the Forty-second Legislature of the State of Texas, known as House Bill No. 712, providing for a special road law in Lavaca County, Texas, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 140 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Pace.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Parr.	

Absent—Excused.

Blackert. DeBerry.

House Bill No. 293.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Russell:

H. B. No. 293, A bill to be entitled "An Act providing that it shall be unlawful to use a seine or net in the waters of the counties of Morris or Titus, except a minnow seine, and except a seine or net of not less than two-inch mesh, which may be used at any time except during the months of March and April; and providing that black bass and crappie of certain sizes shall not be retained; providing a penalty, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Beck, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 293 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Greer.
Collie.	Holbrook.
Cousins.	Hopkins.
Duggan.	Hornsby.
Fellbaum.	Martin.

Moore.	Redditt.
Murphy.	Regan.
Neal.	Russek.
Oneal.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodruff.
Poage.	Woodul.
Purl.	Woodward.
Rawlings.	

Absent—Excused.

Blackert. DeBerry.

House Bill No. 222.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Wells, Mr. Mitcham, and Mr. Johnson of Anderson:

H. B. No. 222, A bill to be entitled "An Act creating a closed season upon wild deer, buck, doe, fawn, or wild turkey for a period of five (5) years in the counties of Navarro and Henderson and Anderson, in the State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said counties, for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The committee amendment was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Collie, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 222 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Moore.
Collie.	Murphy.
Cousins.	Neal.
Duggan.	Oneal.
Fellbaum.	Pace.
Greer.	Parr.
Holbrook.	Patton.
Hopkins.	Poage.
Hornsby.	Purl.
Martin.	Rawlings.

Redditt. Stone.
Regan. Woodruff.
Russek. Woodul.
Sanderford. Woodward.
Small.

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed
by the following vote:

Yea—29.

Beck. Parr.
Collie. Patton.
Cousins. Poage.
Duggan. Purl.
Fellbaum. Rawlings.
Greer. Redditt.
Holbrook. Regan.
Hopkins. Russek.
Hornsby. Sanderford.
Martin. Small.
Moore. Stone.
Murphy. Woodruff.
Neal. Woodul.
Oneal. Woodward.
Pace.

Absent—Excused.

Blackert. DeBerry.

House Bill No. 186.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Ramsey:

H. B. No. 186, A bill to be entitled
"An Act to prohibit the hunting,
trapping, ensnaring, or killing of any
wild deer, buck, doe, or fawn within
the limits of the counties of San Au-
gustine and Sabine, State of Texas,
for a period of five (5) years from
and after the passage of this Act;
etc., and declaring an emergency."

The rule requiring committee re-
ports to lie over one day was sus-
pended by unanimous consent.

The committee report recommend-
ing that the bill be not printed was
adopted by unanimous consent.

The bill was read second time and
passed to third reading.

On motion of Senator Redditt, the
constitutional rule requiring bills to
be read on three several days was
suspended and H. B. No. 186 was put
on its third reading and final passage
by the following vote:

Yeas—29.

Beck. Cousins.
Collie. Duggan.

Fellbaum. Poage.
Greer. Purl.
Holbrook. Rawlings.
Hopkins. Redditt.
Hornsby. Regan.
Martin. Russek.
Moore. Sanderford.
Murphy. Small.
Neal. Stone.
Oneal. Woodruff.
Pace. Woodul.
Parr. Woodward.
Patton.

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed
by the following vote:

Yeas—29.

Beck. Parr.
Collie. Patton.
Cousins. Poage.
Duggan. Purl.
Fellbaum. Rawlings.
Greer. Redditt.
Holbrook. Regan.
Hopkins. Russek.
Hornsby. Sanderford.
Martin. Small.
Moore. Stone.
Murphy. Woodruff.
Neal. Woodul.
Oneal. Woodward.
Pace.

Absent—Excused.

Blackert. DeBerry.

House Bill No. 185.

The Chair laid before the Senate
on its second reading the following
bill:

By Mr. Ramsey:

H. B. No. 185, A bill to be entitled
"An Act providing for the open sea-
son on squirrels in San Augustine
and Sabine Counties; providing a
penalty; and declaring an emer-
gency."

The rule requiring committee re-
ports to lie over one day was sus-
pended by unanimous consent.

The committee report recommend-
ing that the bill be not printed was
adopted by unanimous consent.

The bill was read second time and
passed to third reading.

On motion of Senator Redditt, the
constitutional rule requiring bills to
be read on three several days was

suspended and H. B. No. 185 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

House Bill No. 235.

The Chair laid before the Senate on its second reading the following bill:

By Mr. James:

H. B. No. 235, A bill to be entitled "An Act to repeal Chapter 108, Special Laws, Acts of the Forty-second Legislature, Regular Session, page 218, and declaring an emergency." (Relating to special road tax for Burleson County.)

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Stone the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 235 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Senate Bill No. 141.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 141, A bill to be entitled "An Act to repeal an Act of the Forty-second Legislature, Regular

Session, 1931, being H. B. No. 915, Chapter 158, of the Special Laws of Texas, making it unlawful for any person in using a seine or net for the taking of any fish in Cass or Bowie Counties to disturb, agitate, or beat upon, or in, the waters at the time of using said seines or nets; fixing a penalty; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Beck the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 141 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

House Bill No. 177.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Tillery:

H. B. No. 177, A bill to be entitled "An Act regulating the use of seines and nets in Nacogdoches County; providing that three-inch mesh seines and nets may be used during certain months; providing a penalty for violations of this Act, and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 177 was put on its third reading and final passage by the following vote:

Yeas—29.

Beck.	Parr.
Collie.	Patton.
Cousins.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.
Pace.	

Absent—Excused.

Blackert. DeBerry.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Hopkins.
Collie.	Hornsby.
Cousins.	Martin.
Duggan.	Moore.
Fellbaum.	Murphy.
Greer.	Neal.
Holbrook.	Oneal.

Pace.	Russek.
Parr.	Sanderford.
Patton.	Small.
Poage.	Stone.
Purl.	Woodruff.
Rawlings.	Woodul.
Redditt.	Woodward.
Regan.	

Absent—Excused.

Blackert.	DeBerry.
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H. C. R. No. 23.

The Chair laid before the Senate:

H. C. R. No. 23, Protesting discontinuance of airmail service between San Antonio and Big Spring.

Read and adopted by the following vote:

Yeas—23.

Beck.	Purl.
Collie.	Rawlings.
Cousins.	Redditt.
Duggan.	Regan.
Fellbaum.	Russek.
Greer.	Sanderford.
Holbrook.	Small.
Hopkins.	Stone.
Martin.	Woodruff.
Neal.	Woodul.
Pace.	Woodward.
Patton.	

Nays—6.

Hornsby.	Oneal.
Moore.	Parr.
Murphy.	Poage.

Absent—Excused.

Blackert.	DeBerry.
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H. C. R. No. 22.

The Chair laid before the Senate:

H. C. R. No. 22, Relative to re-financing mortgage loans.

The resolution was read.

Senator Purl moved to refer the resolution to the Committee on Banks and Banking. The motion prevailed.

Personal Privilege.

Senator Woodruff addressed the Senate on a point of personal privilege.

Free Conference Committee Report.

Senator Hornsby sent up the following Free Conference Committee report:

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, on House Concurrent Resolution No. 9, appointed to adjust the differences between the Senate and House on said resolution, beg to report that we have had the same under consideration and have adjusted said differences and hereby report said House Concurrent Resolution No. 9 redrawn as per copy hereto attached and request that the same be adopted, fixing the Joint Rules of the two Houses.

Respectfully submitted,

HORNSBY,
PURL,
MURPHY,
PACE,
WOODWARD,

On the part of the Senate.

POPE,
MORSE,
McGREGOR,
JONES,
MOFFETT,

On the part of the House.

The report was read.

On motion of Senator Hornsby the rules were ordered not printed in the Journal but referred to the Committee on Public Printing with instructions to have the rules printed in a form suitable for insertion in the Senate Manual at the correct place or places.

Adjournment.

On motion of Senator Cousins, the Senate, at 12:26 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Petitions and Memorials.

Ordered printed in the Journal by unanimous consent, on motion of Senator Neal.

State of Texas
BOARD OF EDUCATION

February 14, 1933.

To the Honorable Edgar E. Witt,
Lieutenant Governor and President of the Senate.

To the Honorable Coke Stevenson,
Speaker House of Representatives,
and

To Honorable Members of the Forty-first Legislature.

Gentlemen: The members of the State Board for Vocational Education are familiar with the constructive work of rehabilitation as it has been extended through the efforts of Mr. J. J. Brown in charge of that work in the Division of Vocational Education in the public school activities in the State.

Men, women, and children disabled and defective and who might have become a charge upon the charity of the people and a burden upon the State itself have through these efforts been made (if not entirely whole again) at least capable of self-support and in hundreds of cases have demonstrated the wisdom of the efficiency of such departmental work.

To the end that the aforesaid work may be enlarged and extended the State Board for Vocational Education herewith begs at the hands of your honorable bodies that you make appropriation for this purpose in a sum to equal the amount made available by Federal enactment for such rehabilitation, confident in the belief that such allotment will materially enhance the work of the department and return in effective citizenship to the State many times the amount of such expenditure.

Yours very truly,

NAT M. WASHER,
President, State Board of Education.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 14, 1933.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 151, A bill to be entitled "An Act to make the civil judiciary system of the State more fully self-sustaining, by providing for the collection of certain additional fees for the filing of original petitions in all civil suits filed in the district courts, and for the filing of appeals in the Courts of Civil Appeals, petitions for writs of error and motions for leave

to file original suits in the Supreme Court, except in cases of suits for the collection of taxes and suits by the State, counties, school districts, and road districts of the State and except in cases of habeas corpus proceedings, fixing the amount of said fees, providing for their collection and remittance to the Comptroller of the State, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 148, A bill to be entitled "An Act to amend Article 1302 of the Revised Civil Statutes of the State of Texas, 1925, by adding a new section to be known as 95a to provide for the creation of corporations for the purpose of dealing in agricultural commodities, poultry, dairy products and livestock produced in the United States; enumerating the power and authority of such corporations, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 198, A bill to be entitled "An Act to amend Article 3832 of the Revised Civil Statutes of 1928, by adding thereto another item to be numbered '17,' and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 128, A bill to be entitled "An Act to amend Article 2317 of the Revised Civil Statutes of Texas of 1925, relating to the administration of the affairs of a corporation; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 102, A bill to be entitled "An Act to amend Article 1847 of the Revised Civil Statutes of Texas, 1925 so as to permit notices given to parties to suits pending in the Courts of Civil Appeals, to be sent by the clerks of said courts, by first class mail not registered, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 127, A bill to be entitled "An Act amending Article 3773, 1925 Civil Statutes, so as to provide that a judgment in courts of record will not become dormant where execution has issued on such judgment within ten years after its rendition, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil

Jurisprudence, to whom was referred S. B. No. 88, A bill to be entitled "An Act amending Chapter 91, page 222, Section 4 of the Acts of the 41st Legislature, 1929, First Called Session; relating to additional duties of the State Auditor; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 77, A bill to be entitled "An Act to amend Article 4145, Revised Civil Statutes, so as to provide that surviving guardians appointed by will may be exempt from bond for management of estate of minors."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 10, A bill to be entitled "An Act to amend Article 1302 of the Revised Civil Statutes of Texas of 1925 by adding thereto a subdivision to be known as number 95, to read as follows: 'Subdivision 95. Corporations may be created for, or after being created, charters may be amended to include the construction, maintenance, and operation of radio broadcasting equipment and stations,' and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 54, A bill to be entitled "An Act amending Chapter 8, Title 42, of the Revised Statutes of 1925, by adding an article empowering the judge to change venue on his own motion, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 165, A bill to be entitled "An Act to amend Article 2008, Chapter 2, Revised Civil Statutes of 1925, by adding thereto that 'should the judgment of the trial court be one overruling the plea of privilege the party filing such plea of privilege need not appeal from such order in advance of the trial of such case on the merits but may assign error or cross-assignment of error on appeal, as to such overruling of the plea, from the judgment of the merits of such controversy.'"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 60, A bill to be entitled "An Act to amend Article 1738, Revised Civil Statutes of 1925 (as amended by the Acts of 1927, Fortieth Legislature, First Called Session, page 148, Chapter 51, Section 1), so as to provide that the equalization of the business of the Courts of Civil Appeals shall be made by the Supreme Court as of the close of business in said Courts of Civil Appeals on December 31st and May 31st of each year; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 58, A bill to be entitled "An Act to give further certainty to appellate jurisdiction by adding to the Revised Statutes, Article 1840a, providing for waiver and cure of objection as to the various notices and bonds required for its perfection, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 57, A bill to be entitled "An Act to amend Article 1839, Chapter 3, Title 39, of the Revised Civil Statutes as amended by the Acts of the Regular Session of the Forty-second Legislature of the State of Texas, so as to fix the time for filing the transcript in the Court of Civil Appeals and providing for an extension of such time for cause shown, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 173, A bill to be entitled "An Act providing for the certification of questions of law by trial courts to Courts of Civil Appeals and by such courts to the Supreme Court and for the appeal by litigants from orders of trial courts overruling or sustaining general or special exceptions involving the constitutionality or validity of laws, orders, rules and

regulations of State officers, boards, and other commissions; providing the means and manner thereof; providing the rights, powers and duties of such courts, and providing generally for the enforcement hereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 51, A bill to be entitled "An Act permitting citations to be served and return to be made by registered mail; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 172, A bill to be entitled "An Act amending Article 2039A, Chapter 3, Title 42, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Forty-first Legislature, relating to the service of process on the State Highway Commissioner and designating said officer as the agent for such purposes in suits against non-residents for injuries inflicted within this State by non-resident operators of motor vehicles or motorcycles, so as to extend, cover and include not only the owners of said motor vehicles but likewise their agents, servants or employees operating the same, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODWARD, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 52, A bill to be entitled "An Act providing a method of securing service of process over foreign corporations engaged in or desiring to do business in the State of Texas, amending Article 1529 of the Revised Civil Statutes of the State of Texas relating to the rights of foreign corporations to secure permits to do business in Texas, and repealing laws in conflict herewith, containing a savings clause, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that Committee Substitute with committee amendments Nos. 1 and 2 hereto attached do pass in lieu thereof, and be printed.

WOODWARD, Chairman.

By Woodward. C. S. S. B. No 52.

A BILL

To be entitled

An Act further regulating and providing a means and method of securing service of process on foreign corporations hereafter seeking a permit to do business in Texas and those now doing business in Texas; and as applied to certain corporations, requiring them to designate and appoint the Secretary of State as their agent upon whom legal process may be served and as to foreign fire insurance companies, requiring them to designate and appoint the Chairman of the Board of Insurance Commissioners as their agent upon whom such legal process may be served; providing the conditions of said designation, defining the duties of the Secretary of State and Chairman of the Board of Insurance Commissioners as to forwarding process to the corporation when served with process, and the duty of officer serving process as to their return; providing said Act shall not apply to certain foreign corporation companies and associations now required to designate and appoint service agents in Texas, and affixing penalties for a failure to comply with the re-

quirements of the act, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. On and after the effective date of this act each and every foreign corporation, except as hereinafter provided, seeking a permit to do business in this State, shall, as a prerequisite to its right to secure a permit and to do business in this State, and in addition to all other legal requirements, file in the office of the Secretary of State at Austin, Texas, an irrevocable power of attorney duly executed, designating, constituting and appointing the Secretary of State and his successors in office its duly authorized agent and attorney in fact, for the purpose of accepting service for it or being served with legal process in actions filed or pending against such foreign corporation in causes of action in personam and in rem arising in whole or in part in Texas; said appointment and power of attorney shall recite that it shall continue and remain in force and effect so long as such company continues to do business in Texas and so long thereafter as it shall have outstanding obligations or liability in this State and until all claims of every character held by persons, corporations and other parties in this State or by the State of Texas against such company, shall have been settled; said power of attorney to be signed by the president or vice-president and the secretary of such company, whose signature shall be attested by the seal of the company and shall be acknowledged in manner and in form as required by the laws of Texas in respect to the acknowledgment to deeds; said appointment and power of attorney shall be filed in the office of the Secretary of State and shall be recorded by him in a book kept for that purpose, there to remain as a permanent record of said department.

Sec. 2. Each and every foreign corporation included under the provisions of Section 1 hereof, doing business in this State on the effective date of this act, shall on or before September 1, 1933, file with the Secretary of State of the State of Texas at Austin, Texas, a power of attorney such as is required by Section 1 of this Act, and conditioned as required therein, and the Secretary of State

shall file and record the same as required by Section 1 of this act.

Sec. 3. The Secretary of State of the State of Texas shall, upon being served with process, as provided in Sections 1 and 2 of this Act, immediately enclose the copy of the process served upon him in a letter properly addressed to the president, vice-president, secretary, treasurer, general manager or general agent of such corporation within this State, or if none such shall be found within this State, then to either of such officers at the home office of such corporation, and shall forward the same by registered mail, postage prepaid.

Sec. 4. The officer serving such process upon the Secretary of State shall in his return state the day and hour of the service upon the Secretary of State of such process and such other facts as are now required to be made in his return as in the case of the service of citations generally.

Sec. 5. The Secretary of State shall, upon request of a party and upon the payment of a fee of \$1.00, certify to the court out of which said process is issued or in which any suit or actions may be pending against such corporation, the occurrence or performance of any of the duties, acts, omissions, transactions or happenings contemplated or required by this Act, including the wording of any registered letter receipt, and his certificate as well as the wording of such receipt, shall be accepted as prima facie evidence and proof of the statements therein.

Sec. 6. No judgment by default shall be taken in any such cause of action, suit or proceeding until after the expiration of at least ten days after such process shall have been served upon the Secretary of State as herein provided, and the presumption shall obtain unless rebutted that such process was transmitted by the Secretary of State and received by the corporation, after being deposited in the mail at Austin, Texas, by the Secretary of State.

Sec. 7. This Act shall apply to foreign fire insurance companies of all kinds which are required by law to procure a certificate of authority or license or permit to do business in this State; but in such event the Chairman of the Board of Insurance Commissioners of the State of Texas, instead of the Secretary of State,

shall be designated as the agent and attorney of each such foreign fire insurance company and for and in such cases only, the words "Secretary of State" wherever appearing in this act, shall be and they are hereby substituted by the words "Chairman of the Board of Insurance Commissioners" and within the latter words shall be included and mean any officer or chairman of any board which may hereafter be clothed with the powers and duties now devolving upon such Board of Insurance Commissioners now existing under the laws of this State.

Sec. 8. As a prerequisite to the right to secure a charter or permit to do business in this State, each foreign fire insurance company included within the provisions of this Act shall file with the Chairman of the Board of Insurance Commissioners the same character of designation and power of attorney as herein provided in the case of foreign corporations included within the meaning of this Act, and it shall be the duty of the Chairman of the Board of Insurance Commissioners to in all respects comply with the same requirements and do and perform the same acts as herein provided with reference to the duty imposed upon the Secretary of State; and each foreign fire insurance company now doing business in this State shall, on or before September 1, 1933, comply with the requirements of this Act.

Sec. 9. This Act shall not apply to business done in this State by any foreign corporation having authority to do business in this State under the Constitution or laws of the United States of America regardless of the will of this State.

Sec. 10. If any foreign corporation which is required by the terms of this Act to file the designation and power of attorney as provided by this Act, shall fail to do so at or within the time and in the manner as required by this Act, during default in such respects, then in such event:

(a) Each of its acts in this State shall, as to it, be unlawful and void and no one of such acts shall, as to it, be valid; and it shall be incapable in this State of receiving the benefit of, exercising in its behalf or enjoying any right, power, privilege or immunity that shall not already have

accrued, provided that none of its acts done subsequently to the filing of such a power of attorney, though such filing be late, shall be affected by the foregoing provisions, nor in case of such late filing shall the incapacity effected by the foregoing provisions apply to any right, power, privilege or immunity that shall have wholly arisen and accrued after such filing.

(b) Such corporation shall be incapacitated to maintain any suit or legal proceedings in any court in this State upon any demand whether arising out of contract or tort.

(c) Such corporation shall be liable to the State of Texas in the penal sum of \$50.00 a week for each and every week wherein it shall have so failed to file any such power of attorney.

(d) Such corporation, by doing any act within this State, shall be deemed to have appointed the Secretary of State and his successors in office, to all intents, effects and purposes as if it had duly executed such power of attorney.

Sec. 11. Nothing herein contained shall apply to the service of process on foreign life insurance companies as provided by Articles 4763 and 4764 Revised Civil Statutes of the State of Texas, nor to building and loan associations as provided by Article 875 Revised Civil Statutes of the State of Texas, nor to fidelity, guaranty and surety companies, as provided by Articles 4970 and 4971 Revised Civil Statutes of the State of Texas, nor to fraternal benefit societies as provided by Article 4843 Revised Civil Statutes of the State of Texas, nor to reciprocal or inter-insurance individuals, partnerships and corporations as provided by Article 5027 Revised Civil Statutes of the State of Texas.

Sec. 12. This Act shall not be construed as repealing any existing mode, method or manner of serving legal process on any domestic or foreign corporation doing business in this State and shall not be construed as repealing any existing statute now providing a means or method of securing service of process on any domestic or foreign corporation doing business in this State, but shall be construed as cumulative and in addition to the general laws in respect thereto.

Sec. 13. If any paragraph, sec-

tion or subsection of this Act shall be held or deemed invalid or unconstitutional, such invalid or unconstitutional part or parts shall not in any manner affect the remaining paragraph, section or subsection, but all such remaining parts shall be held to be expressive of the wish of the Legislature, regardless of the invalidity of any paragraph, section or subsection hereof.

Sec. 14. The fact that there is no adequate statutory provision in this State regulating the service of process on foreign corporation, especially foreign corporations, which might cease to do business in Texas and have no agent in Texas upon whom process may be served, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and said rule is suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Amendment No. 1.

Amend C. S. S. B. No. 52 by adding Section 8a as follows:

If and in the event notice of the service of the process upon the Chairman of the Board of Insurance Commissioners cannot be effected by registered mail, or if the person to whom it is addressed refuses to accept or receive the same, then the plaintiff may cause the defendant to be served with a notice of the fact that the process has been served upon the Chairman of the Board of Insurance Commissioners, stating the date of the service thereof, which notice shall also be accompanied with a certified copy of the process so served upon said Chairman of the Board of Insurance Commissioners. Such notice may be served by any disinterested person competent to make oath of the fact by delivering to the person to be served in person a true copy of such notice, together with a certified copy of the process served upon the Chairman of the Board of Insurance Commissioners. The return of service in such case shall be endorsed on or attached to the original notice stating when it was served and upon whom it was served and it shall be signed and sworn to by the party making such service before any person authorized

by the statutes of this State to make affidavits under the hand and official seal of such officer.

Committee Amendment No. 2.

Amend C. S. S. B. No. 52 by adding Section 5a as follows:

If and in the event notice of the service of the process upon the Secretary of State cannot be effected by registered mail, or if the person to whom it is addressed refuses to accept or receive the same, then the plaintiff may cause the defendant to be served with a notice of the fact that the process has been served upon the Secretary of State, stating the date of the service thereof, which notice shall also be accompanied with a certified copy of the process so served upon said Secretary of State. Such notice may be served by any disinterested person competent to make oath of the fact by delivering to the person to be served in person a true copy of such notice, together with a certified copy of the process served upon the Secretary of State. The return of service in such case shall be endorsed on or attached to the original notice stating when it was served and upon whom it was served and it shall be signed and sworn to by the party making such service before any person authorized by the statutes of this State to make affidavits under the hand and official seal of such officer.

Committee Room,

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 1, Proposing an amendment to Section 9 of Article VIII of the Constitution of the State of Texas.

Providing that for all years after 1934 the State tax on property, exclusive of the tax necessary to pay the public debt and the taxes provided for the benefit of public free school and of taxes for the Confederate Pension, shall never exceed fifteen cents on the one hundred dollar valuation, and providing for municipal taxation as is now provided in Section 9 of Article 8, of the Constitution of the State of Texas.

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass, and be printed.

ONEAL, Chairman.

Committee Room.

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 2, Proposing an amendment to the Constitution of the State of Texas by adding to Article XVI another section, Section 61, abolishing the fee system of compensating State, district, county, and precinct officers, and providing for the payment of salaries to said officers except public weighers, notaries public and county surveyors.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ONEAL, Chairman.

Committee Room.

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 6, Proposing an amendment to Section 5 of Article IV of the Constitution of the State of Texas, fixing the salary of the Governor; providing for its submission to the voters of the State of Texas as required by the Constitution, and making an appropriation therefor.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ONEAL, Chairman.

Committee Room.

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 8, Proposing an amendment to Section 23 of Article IV of the Constitution of the State of Texas, fixing the salary of the Comptroller, Treasurer and the Commissioner of the General Land Office at Six Thousand (\$6,000.00) Dollars per annum; providing for its submission to the voters of the State

as required by the Constitution, and making appropriation therefor.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ONEAL, Chairman.

Committee Room.

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 9, Proposing an amendment to Section 22 of Article IV of the Constitution of the State of Texas, fixing the salary of the Attorney General at Ten Thousand (\$10,000.00) Dollars a year; providing for its submission to the voters of the State of Texas as required by the Constitution, and making appropriation therefor.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ONEAL, Chairman.

Committee Room.

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred

S. J. R. No. 11, A joint resolution Proposing an amendment to the Constitution of Texas, by amending Article IV, Section 26, changing the manner of appointment of notaries public.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

ONEAL, Chairman.

Committee Room.

Austin, Texas, Feb. 14, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 34, Relative to quail law for Glasscock County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 37, Relative to betting or wagering on elections.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 38, Relative to absentee voting.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

POAGE, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 40, Relative to quail law for Yoakum County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 43, Relative to amending Article 2692, R. C. S., 1925.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 82, Relative to summoning grand jury.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 91, Relative to corporation franchise tax.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 103, Relative to payment of taxes assessed against University lands.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 104, Relative to deer law for Galveston County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 107, Relative to amending Chapter 91, Acts First Called Session, Fortieth Legislature.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 123, Relative to fish law for East Galveston Bay.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 133, Relative to short-hand reporter for Twenty-fifth Judicial District.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 141, Relative to fish law for Bowie County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 142, Relative to teachers' certificates.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

S. B. No. 143, Relative to election judges and clerks.

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

POAGE, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 154, Relative to teachers' warrants.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 184, Relative to arson.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMALL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 189, Relative to appropriation for poison bait spray campaign in Rio Grande Valley against Mexican fruit fly.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 191, Relative to interest-bearing warrants for school employees.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 201, Relative to authorizing purchase of certain railroads by the Panhandle & Santa Fe Railroad Co.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 17, Relative to compensation of county treasurers.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 66, Relative to quail law for Glasscock County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 69, Relative to deer law for Freestone and Leon counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We your Committee on Educational Affairs, to whom was referred

H. B. No. 80, Relative to Wichita Falls Independent School District.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 98, Relative to the sale of fresh water fish in certain counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments, and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 106, Relative to permitting use of trot lines in Val Verde County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 15, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 115, Relative to salary of ex-officio county school superintendent.

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

NEAL, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 121, Relative to squirrel law for certain counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 129, Relative to amending Bexar County road law.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 140, Relative to Lavaca County road law.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 177, Relative to seines and nets in Nacogdoches County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 180, Relative to county purchasing agent.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 185, Relative to squirrel law for San Augustine and Sabine Counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 186, Relative to deer law for San Augustine and Sabine Counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 219, Relative to repealing road tax in Childress County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the

recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 222, Relative to deer law for Navarro, Henderson, and Anderson Counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment, and be printed.

HOPKINS, Chairman.

(Committee Amendment.)

Amend H. B. No. 222 by adding the Counties of Brown and Coleman after the word "Throckmorton" in Section 1, and to amend the caption accordingly.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 235, Relative to special road tax for Burleson County.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

Committee Room,
Austin, Texas, Feb. 14, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 293, Relative to seines and nets in Morris and Titus Counties.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOPKINS, Chairman.

In Memory
of
Mrs. Allie Gaines DeBerry

SENATE SIMPLE RESOLUTION NO. 47

Senator Holbrook sent up the following resolution:

WHEREAS, It has pleased the Supreme Ruler of the Universe to call from labor to rest, Mrs. Allie Gaines DeBerry, late of Bogata, Red River County, Texas, mother of our colleague, Senator Tom DeBerry; and

WHEREAS, In the passing of Mrs. DeBerry, it is noted with regret that another of those pioneers of northeast Texas, who, with her husband, Martin Luther DeBerry, who passed away some twenty years ago, formed a link in that band of pioneers who settled in this portion of Texas, and were great factors in building up the social, moral, religious, and educational welfare of the section in which they lived; and

WHEREAS, The great affection which the Senate of Texas has for Senator Tom DeBerry leads them to join with him in the inexpressible sorrow which is his in the passing of his mother; and while recognizing that no word of consolation from us might assuage his grief, we are deeply mindful of his irreparable loss, and extend to him and the members of his family our heartfelt consolation.

RESOLVED further by the Senate of the State of Texas, That a copy of this resolution be mailed to Senator DeBerry, to his sister, and to each of his nine brothers; and that the Senate, when it adjourns today do so in her honor; and that a page of the Senate Journal be set aside in her memory.

HOLBROOK,
BECK,
BLACKERT,
COLLIE,
COUSINS,
DUGGAN,
FELLBAUM,
GREER,
HOPKINS,
HORNSBY,
MARTIN,

MCORE,
MURPHY,
NIAL,
ONEAL,
PLACE,
PARR,
PATTON,
FOAGE,
JURL,
RAWLINGS,
REDDITT,

REGAN,
RUSSEK,
SANDERFORD,
SMALL,
STONE,
WOODRUFF,
WOODUL,
WOODWARD,
WITT.

Read and adopted unanimously by a rising vote.